

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff,

Vs.

BERNARD L. MADOFF INVESTMENT  
SECURITIES, LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation  
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

ROBERT S. BERNSTEIN,

Defendant.

Adv. Pro. No. 08-01789 (BRL)

SIPA Liquidation

(Substantively Consolidated)

Adv. Pro. No. 10-04883 (BRL)

**NOTICE OF MOTION TO WITHDRAW THE REFERENCE OF THE ABOVE-CAPTIONED ADVERSARY PROCEEDING TO THE BANKRUPTCY COURT**

TO THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

PLEASE TAKE NOTICE that Defendant hereby moves the United States District Court for the Southern District of New York for entry of an order, pursuant to 28 U.S.C. § 157(d), Federal Rule of Bankruptcy Procedure 5011, and Rule 5011-1 of the Local Rules of the Bankruptcy Court, withdrawing the reference to the United States Bankruptcy Court for the Southern District of New York of the above-captioned adversary proceeding upon the grounds set forth in the accompanying Memorandum of Law in support of this Motion and Declaration of Max Folkenflik, and exhibits thereto, which are hereby incorporated by reference.

Defendant has made no prior request to this Court or to any other court for the relief requested by this Motion.

Dated: New York, New York  
April 2, 2012

Respectfully submitted,

**FOLKENFLIK & McGERITY**

By: 

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*Attorneys for Defendants*